

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

April 20, 2015

TO: Honorable Harold V. Dutton, Jr., Chair, House Committee on Juvenile Justice & Family Issues

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB3341 by Peña (Relating to a requirement that school district superintendents report information relating to the use of restraints against students and student arrests and enhancing the penalty prescribed for certain acts of official oppression; creating a criminal offense.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would require the superintendent of the school district to notify a student's parent or guardian, as soon as practicable, after a student was subjected to a restraint or was arrested on school property during a school-sponsored or school-related activity.

The bill would require the superintendent of a school district to report to the Texas Education Agency (TEA) certain information about the uses of restraints and arrests of students that occurred during the preceding school year. The report could not include personally identifiable student information and would be required to comply with the Family Educational Rights and Privacy Act (FERPA). The bill would require a school district that entered into a memorandum of understanding (MOU) with local law enforcement for the provision of a regular police presence on campus to designate in the MOU which entity would collect the required information for reporting to TEA. The bill would require TEA to collect the reports and provide the compilation of information to the public.

The agency estimates there would be a minimal cost associated with implementing the provisions of the bill, related to updating the Public Education Information Management System (PEIMS) to allow for the collection of student restraint and arrest information.

The bill would amend the Penal Code to enhance the penalty for the offense of official oppression if the offense is committed against a public school student on school property or during a school-related activity. No significant impact to state correctional agencies is anticipated from this portion of the bill.

Local Government Impact

Local districts would incur costs to provide the required notices and to update the student information systems (SIS) or modify the MOU to collect the required student restraint and arrest information to be reported to the TEA. These costs would vary from district to district depending

on whether there was an MOU with local law enforcement, whether the SIS was locally developed or vendor provided, and the frequency of the use of restraints or arrests of students.

Source Agencies: 701 Central Education Agency

LBB Staff: UP, ESi, JBi, JPo